

## DETAILED ACTION

### Status

This communication is in response to the request for continued examination filed on March 3, 2010.

**Claims 1-6, 10-15, 19-22, and 24-29** are allowed in this Office action (renumbered as **claims 1-22**).

### *Information Disclosure Statement*

As required by **M.P.E.P. 609(C)**, the Applicant's submission of the Information Disclosure Statement dated May 1, 2006 is acknowledged by the Examiner and the cited references have been considered. As required by **M.P.E.P 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the Examiner is attached to the instant Office action.

### *Notes Regarding Statutory Subject Matters*

With respect to independent **claim 1** under 35 U.S.C. 101, the claim recites at least a "*data attribution detection means*" for detecting attribution of storing-target data. At least this means is taken in view of Figure 2 and the instant specification (Page 9, Line 18 → Page 10, Line 7) to be inclusive of hardware circuit blocks. Therefore, **claim 1** is statutory under 35 U.S.C. 101.

Dependent **claims 2-6** are also statutory under 35 U.S.C. 101 for the same reasons above.

### **Examiner's Amendment**

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this instant Examiner's amendment was given in a telephonic communication (see attached Interview Summary) from applicant's attorney Edward Tracy on March 22, 2010 based on the latest amendment filed on February 3, 2010.

#### **The claims have been amended as presented below:**

**Claim 1.** (Currently Amended) A data storage control apparatus comprising:

copying means for copying data from an external storage medium;

data attribution detection means for detecting attribution of storing-target data;

control means for setting deletion-target priority of said data based on said attribution, said control means determining if when a source of said data is a radio broadcast based on said attribution;

determination means for determining whether or not the storage of said data is to be performed based on the attribution of said data detected by said data attribution detection means;

data deletion means for deleting data having an oldest storage date from among all data having a source which is not a radio broadcast # when said determination means determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space, and said data deletion means deleting data having an oldest storage date and a source which is a radio broadcast # when said determination means determines that the storage of said data is to be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast; and

data storage means for storing said storing-target data in said storage medium after said data deletion means deletes the data having the oldest storage date from among all the data having a source which is not a radio broadcast;

wherein when attribution of said data shows that said data is title information corresponding to compact discs, said data deletion means is configured to determine that said deletion-target priority of said data is high to delete said data.

Art Unit: 2165

**Claims 2-3.** (Original)

**Claim 4.** (Currently Amended) The data storage control apparatus according to claim 1, wherein the determination means determines the storage of said data is to be performed, if when attribution of said data shows that said data is information relating to broadcast contents.

**Claim 5.** (Currently Amended) The data storage control apparatus according to claim 4, wherein the determination means determines the storage of said data is to be performed, if when attribution of said data shows that said data is now-on-air information including title information of broadcast contents.

**Claim 6.** (Currently Amended) The data storage control apparatus according to claim 4, wherein the determination means determines the storage of said data is to be performed, if when attribution of said data shows that said data is broadcast content data.

**Claims 7-9.** (Previously Canceled)

**Claim 10.** (Currently Amended) A computer-implemented data storage control method comprising:

copying data from an external storage medium;

detecting attribution of storing-target data;

setting deletion-target priority of said data based on said attribution, said setting including determining if when a source of said data is a radio broadcast based on said attribution;

determining whether or not the storage of said data is to be performed based on the attribution of said data detected by said detecting;

Art Unit: 2165

deleting data with an oldest storage date from among all data having a source which is not a radio broadcast # when said determining determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space;

deleting data having an oldest storage date and a source which is a radio broadcast # when said determining determines that the storage of said data is to be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast; and

storing said storing-target data in said storage medium after said deleting deletes the data having the oldest storage date from among all the data having a source which is not a radio broadcast-;

wherein when attribution of said data shows that said data is title information corresponding to compact discs, said deleting determines that said deletion-target priority of said data is high to delete said data.

**Claims 11-12.** (Previously Presented)

**Claim 13.** (Currently Amended) The computer-implemented data storage control method according to claim 10, wherein it is determined that the storage of said data is to be performed, # when attribution of said data shows that said data is information relating to broadcast contents, at said determining.

**Claim 14.** (Currently Amended) The computer-implemented data storage control method according to claim 13, wherein it is determined that the storage of said data is to be performed, # when attribution of said data shows that said data

Art Unit: 2165

is now-on-air information including title information of broadcast contents, at said determining.

**Claim 15.** (Currently Amended) The computer-implemented data storage control method according to claim 13, wherein it is determined that the storage of said data is to be performed, # when attribution of said data shows that said data is broadcast content data, at said determining.

**Claims 16-18.** (Canceled)

**Claim 19.** (Currently Amended) A computer storage medium including computer executable instructions, wherein the instructions, when executed by a processor, cause the processor to perform a method comprising:

copying data from an external storage medium;

detecting attribution of storing-target data;

setting deletion-target priority of said data based on said attribution, said setting including determining # when a source of said data is a radio broadcast based on said attribution;

determining whether or not the storage of said data is to be performed based on the attribution of said data detected by said detecting;

deleting data with an oldest storage date from among all data having a source which is not a radio broadcast # when said determining determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space;

deleting data having an oldest storage date and a source which is a radio broadcast # when said determining determines that the storage of said data is to

Art Unit: 2165

be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast; and

storing said storing-target data in said storage medium after said deleting deletes the data having the oldest storage date from among all the data having a source which is not a radio broadcast-;

wherein when attribution of said data shows that said data is title information corresponding to compact discs, said deleting determines that said deletion-target priority of said data is high to delete said data.

**Claims 20-21.** (Previously Presented)

**Claim 22.** (Currently Amended) The computer storage medium according to claim 19, wherein it is determined that the storage of said data is to be performed, # when attribution of said data shows that said data is related information relating to broadcast contents, at said determining.

**Claim 23.** (Previously Canceled)

**Claim 24.** (Currently Amended) A data storage control apparatus comprising:

a copying unit, including a computer processor, configured to copy data from an external storage medium;

a data attribution detection unit configured to detect attribution of storing-target data;

a control unit configured to set deletion-target priority of said data based on said attribution, said control unit configured to determine # when a source of said data is a radio broadcast based on said attribution;

a determination unit configured to determine whether or not the storage of said data is to be performed based on the attribution of said data detected by said data attribution detection unit;

a data deletion unit configured to delete data having an oldest storage date from among all the data having a source which is not a radio broadcast # when said determination unit determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space, and said data deletion unit configured to delete data having an oldest storage date and a source which is a radio broadcast # when said determination unit determines that the storage of said data is to be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast; and

a data storage unit configured to store said storing-target data in said storage medium after said data deletion unit deletes the data having the oldest storage date from among all the data having a source which is not a radio broadcast-;

wherein when attribution of said data shows that said data is title information corresponding to compact discs, said data deletion unit is configured to determine that said deletion-target priority of said data is high to delete said data.

**Claims 25-26.** (Previously Presented)

**Claim 27.** (Currently Amended) The data storage control apparatus according to claim 24, wherein the determination unit is configured to determine



Art Unit: 2165

the storage of said data is to be performed, if when attribution of said data shows that said data is information relating to broadcast contents.

**Claim 28.** (Currently Amended) The data storage control apparatus according to claim 27, wherein the determination unit is configured to determine the storage of said data is to be performed, if when attribution of said data shows that said data is now-on-air information including title information of broadcast contents.

**Claim 29.** (Currently Amended) The data storage control apparatus according to claim 27, wherein the determination unit is configured to determine the storage of said data is to be performed, if when attribution of said data shows that said data is broadcast content data.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance of **claims 1-6, 10-15, 19-22, and 24-29:**

A) The prior arts of record fail to teach:

*"data deletion means for deleting data having an oldest storage date from among all data having a source which is not a radio broadcast when said determination means determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space, and said data deletion means deleting data having an oldest storage date and a source which is a radio broadcast when said determination means determines that the storage*

Art Unit: 2165

*of said data is to be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast;*

*wherein when attribution of said data shows that said data is title information corresponding to compact discs, said data deletion means is configured to determine that said deletion-target priority of said data is high to delete said data" (independent claims 1, 10, 19, and 24).*

**Claims 2-6, 11-15, 20-22, and 25-29** are also allowed based on their dependencies on **claims 1, 10, 19, and 24** respectively.

B) The prior arts of record are summarized as follows:

i) Yuji (*Pub. No. JP 2003-173278*) teaches an information delivery device which delivers information along with kind information showing the kind of contents of this information, and a reception recording device receiving the delivered information and recording the information selected based on a determination as to whether or not the delivered information should be recorded according to the kind information. Thus, recording unnecessary information can be avoided, and a reduction in the amount of information recorded reduces the possibility that the capacity of the recording device becomes full, while facilitating retrieval of desired or important information and reducing the possibility of missing it.

ii) Eide et al. (*Pat. No. US 6,243,774*) teaches re-associating existing resource with an installed hardware device by updating a location

identifier associated with the resource if it is determined that the installed hardware device was previously installed in a different location in the computer. A resource identifier for the resource, however, is preserved so that any computer application that relies on the resource can still access the resource without additional manual reconfiguration of the resource or the computer application.

C) Any comments considered necessary by the Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Neveen Abel-Jalil can be reached on (571) 272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

Art Unit: 2165

PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. T. H./  
Examiner, Art Unit 2165  
March 22, 2010

/Neveen Abel-Jalil/  
Supervisory Patent Examiner, Art Unit 2165